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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

LORI WAKEFIELD, individually and on
behalf of a class of all others similarly
situated,

Plaintiff,

v.

VISALUS, INC., a Nevada corporation,

Defendant.

No. 3:15-cv-01857-SI

**PLAINTIFF'S UPDATED STATUS
REPORT REGARDING LIFTING
STAY**

Plaintiff Lori Wakefield (“Plaintiff”) is filing this report to update the Court that the parties were unable to reach a resolution through mediation and that the stay entered by the Court should be lifted.

1. After delays caused by the onset of the Covid-19 pandemic, the parties participated in a mediation on May 21, 2020, with the Hon. James F. Holderman (ret.) of JAMS via ZOOM videoconference. (*See* Dkt. 368, ¶ 5.)

2. Although the parties did not reach a settlement during the mediation, the parties agreed to have a second mediation with Judge Holderman. (*See* Dkt. 370.)

3. Based on that understanding, Plaintiff requested a further extension of time until August 3, which the Court granted. (Dkt. 371.)

4. Given recent developments, Plaintiff does not believe that a second mediation will result in a resolution that would have been acceptable to the Class or the Court.

WHEREFORE, Plaintiff respectfully requests that the Court lift the stay, deny Defendant’s post-trial motion challenging the constitutionality of the statutory damages (Dkt. 358), and proceed to enter judgment in favor of Plaintiff and the Class.

Respectfully submitted,

LORI WAKEFIELD, individually and on behalf
of a class of all others similarly situated,

Dated: June 23, 2020

/s/ Lily E. Hough
One of Plaintiff’s Attorneys

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CERTIFICATE OF SERVICE

I, Lily E. Hough an attorney, certify that on June 23, 2020, I served the foregoing by causing true and accurate copies of such paper to be transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Lily E. Hough